

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928

WP(C).No. 5149 of 2007(K)

PETITIONER:

N.P.ABDUL SALAM, AGED 52,
S/O. MOIDU HAJI,
RIVER VIEW, MARKET ROAD, NILESWAR.

BY ADV. SRI.B.RAMACHANDRAN

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY SECRETARY
MINISTRY OF LOCAL ADMINISTRATION, GOVT.
SECRETARIATE, THIRUVANANTHAPURAM.
2. NILESWAR GRAMA PANCHAYAT, NILESWAR, REPRESENTED BY
ITS SECRETARY.

BY G.P. SMT.T.B.RAMANI.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14 /2 /2007 , THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO.5149 of 2007

Dated this 14th day of February, 2007

JUDGMENT

Having regard to the nature of the relief which is given hereunder, I am of the view that notice need not be issued to the 2nd respondent Panchayat. To Ext.P2 show cause notice, the petitioner has submitted Ext.P3 reply. Apprehension of the petitioner is that even before considering Ext.P3, Ext.P2 will be implemented.

2. Having regard to the grounds raised in the writ petition and the submissions addressed before me by the learned counsel for the petitioner, this writ petition will stand disposed of with the following directions:

The 2nd respondent Panchayat will consider Ext.P3, hear the petitioner and the person on whose complaint Ext.P2 was passed by the Panchayat and take a decision thereon. Decision will be taken by the Panchayat at its earliest and at any rate within three weeks of receiving a copy of this judgment. In view of the above directions, there will be a further direction to the

Panchayat not to demolish the wall for a period of four weeks from today.

PIUS C.KURIAKOSE
Judge

dpk